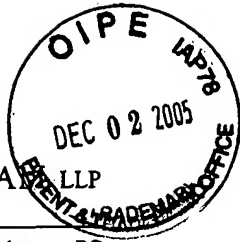




BALCH & BINGHAM LLP

Alabama • Georgia • Mississippi • Washington, DC

Christian B. Waddell  
(601) 965-8161



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401 East Capitol Street  
Suite 200  
P.O. Box 22587 (39225)  
Jackson, Mississippi 39201  
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(601) 961-4466 Fax  
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(888) 201-2067 (direct fax)  
[cwaddell@balch.com](mailto:cwaddell@balch.com)

1 PFW

November 29, 2005

BY FACSIMILE (571) 273-8300  
BY U.S. MAIL

Director of United States Patent and Trademark Office  
c/o Office of Petitions  
United States Patent and Trademark Office  
200 Ballenger Avenue  
Randolph Building  
Alexandria, VA 22313

Re: Petition to the Director to Withdraw Holding of Abandonment  
Application No.: 10/713,897  
First Named Applicant: Sherry Lynn Hadden

Dear Sir:

Please find enclosed a Petition to the Director to Withdraw Holding of Abandonment filed pursuant to 37 CFR 1.181. Thank you for your consideration in this matter.

With best regards, I remain,

BALCH & BINGHAM LLP

Christian B. Waddell

CBW:lh  
Enclosures



PETITION TO THE DIRECTOR TO WITHDRAW HOLDING OF  
ABANDONMENT  
APPLICATION NUMBER 10/713,897

Filing or 371(c) date: 11/19/2002  
First Named Applicant: Sherry Lynn Hadden

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Pursuant to 37 CFR 1.181, I hereby request the Notice of Abandonment issued on November 7, 2005 and attached hereto as Exhibit "A" be withdrawn and would show unto the Director the following:

1. On November 19, 2002 the applicant, Sherry Lynn Hadden, applied for a provisional patent application. Said application was granted on December 23, 2002. The filing receipt is attached hereto as Exhibit "B."

2. On November 17, 2003 a Decision to Grant Request to Convert Non-Provisional Application was awarded. Decision attached as Exhibit "C." This document was mailed on January 7, 2004.

3. On November 11, 2005 Applicant received the aforementioned Notice of Abandonment for failing to reply to Notice of Missing Parts mailed on January 7, 2004.

4. Applicant never received the Notice of Missing Parts referenced in the Notice of Abandonment and mailed on January 7, 2004.

5. In a telephone conversation with Ms. Jenkins in the Petitions division of the United States Patent and Trademark Office (USPTO) on November 14, 2005, it was discovered that the Notice of Missing Parts was returned to the USPTO as undeliverable.

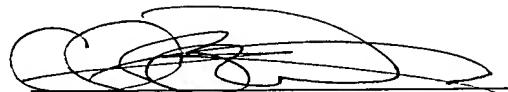
6. Ms. Jenkins confirmed that the address on the returned Notice was the correct address; however, according to Ms. Jenkins the notice was not resent.

7. The applicant is unable to respond to the Notice of Missing Parts due to never having received it.

THEREFORE, applicant hereby requests the Notice to File Missing Parts be resent to:

Sherry Lynn Hadden,  
c/o Christian Waddell  
Balch and Bingham LLP  
Post Office Box 22587  
Jackson, MS 39201

Applicant further requests the time to respond to the Notice to File Missing Parts be reset to allow the applicant time to properly respond.

A handwritten signature in black ink, appearing to read 'Christian B. Waddell', is written over a horizontal line.

Christian B. Waddell  
Balch & Bingham LLP, on behalf of  
Sherry Lynn Hadden  
P. O. Box 22587  
Jackson, MS 39201



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/713,897	11/19/2002	Sherry Lynn Hadden	

CONFIRMATION NO. 5522

ABANDONMENT/TERMINATION  
LETTER

Sherry Lynn Hadden  
Balch & Bingham LLP  
Post Office Box 22587  
Jackson, MS 39225-2587

Date Mailed: 11/07/2005

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 01/07/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

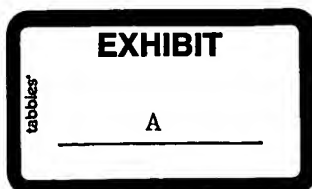
1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37

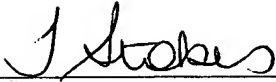


CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

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*A copy of this notice MUST be returned with the reply.*



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 1 - ATTORNEY/APPLICANT COPY



Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/427,345	11/19/2002		80		2		

CONFIRMATION NO. 5522

Sherry Lynn Hadden  
Balch & Bingham LLP  
Post Office Box 22587  
Jackson, MS 39225

**FILING RECEIPT**

\*OC00000009285500\*

Date Mailed: 12/24/2002

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Sherry Lynn Hadden, Long Beach, MS;

If Required, Foreign Filing License Granted: 12/23/2002

Projected Publication Date: None, application is not eligible for pre-grant publication

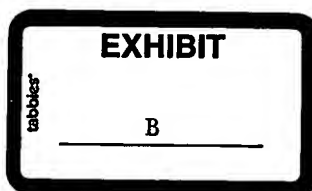
Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\*****Title**

Standing feather beauty product applicator

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

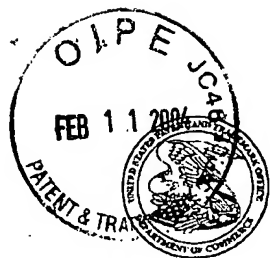
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
60/427,345	11/19/2002	Sherry Lynn Hadden	

Sherry Lynn Hadden  
 Balch & Bingham LLP  
 Post Office Box 22587  
 Jackson, MS 39225

## CONFIRMATION NO.



\*OC000000011637807\*

Date Mailed: 01/07/2004

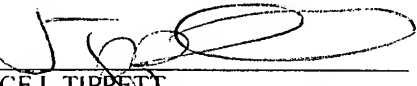
## DECISION GRANTING REQUEST TO CONVERT TO NON-PROVISIONAL

This is a decision on the request under 37 CFR 1.53(c)(3) received in the U.S. Patent and Trademark Office on **11/17/2003**, to convert the above-identified application to a non-provisional application under 35 U.S.C. 111(a) and 37 CFR 1.53(b).

The request is granted.

The application will be processed in the Office of Initial Patent Examination (OIPE) as a non-provisional application under 35 U.S.C. 111(a) and 37 CFR 1.53(b), including the assignment of a new non-provisional application number.

The non-provisional application number is **10/713,897**. The filing receipt for the non-provisional application number will be mailed to the applicant by OIPE in due course.

  
 JANICE L. TIPPET  
 Office of Initial Patent Examination  
 (703) 308-0910

PART 1 - ATTORNEY/APPLICANT COPY

